

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

**MOTION TO DISMISS COUNTS II THROUGH V OF
PLAINTIFF'S FIRST AMENDED COMPLAINT**

COMES NOW Defendant GC Services Limited Partnership, by counsel, and pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure requests that this Court dismiss Counts II through V of Plaintiff's First Amended Complaint against it for the reasons and on the grounds stated in the Memorandum in Support of this Motion, filed herewith.

Respectfully submitted,

G.C. SERVICES LIMITED PARTNERSHIP

By: /s/
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CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of September, 2008, I electronically filed the foregoing Motion to Dismiss Counts II through V of Plaintiff's First Amended Complaint with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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